

**UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF LOUISIANA**  
**LAFAYETTE-OPELOUSAS DIVISION**

**SHANNON TRIPEAUX**

**CIVIL ACTION NO. 05-0819**

**VS.**

**JUDGE MELANÇON**

**POLICE DEP'T OF NEW IBERIA  
CITY OF NEW IBERIA  
QUINTON ADCOCK  
MICHAEL BARNETT  
SCOTT DAVIS**

**MAGISTRATE JUDGE METHVIN**

**\_\_\_\_\_MEMORANDUM RULING AND JUDGMENT**

Before the Court is a Motion to Dismiss for Failure to State A Claim Upon Which Relief Can be Granted Pursuant to Fed. R. Civ. P. 12(b)(6) [Rec. Doc. 31] filed by defendants City of New Iberia, for and on behalf of the New Iberia Police Department, and Robert Feller, (formerly the Police Chief of the City of New Iberia). Defendants seek to dismiss plaintiff's claims against the New Iberia Police Department on grounds that it is not a juridical person subject to suit. In her responsive memorandum, plaintiff agrees that the proper defendant parties in this matter include the City of New Iberia and Robert Feller, (the former Police Chief of the City of New Iberia), and that the New Iberia Police Department is not a proper party to this lawsuit. Plaintiff states that she has no opposition to dismissing the

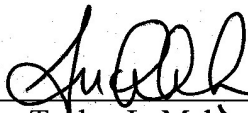
Police Department as a party defendant [Rec. Doc. 39]. Considering the foregoing, it is, therefore,

**ORDERED** that defendants' Motion [Rec. Doc. 31] is **GRANTED**.

Signed at Lafayette, Louisiana on August 1, 2007.

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Tucker L. Melançon  
UNITED STATES DISTRICT JUDGE